

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

A5

23. (Amended) The seating system of claim 21 wherein said openings disposed through said blind rabbets are apertures.

REMARKS

Claims 1-25 are pending in the above-identified application and have been rejected by the Examiner. Claims 2-11, 15, 19 and 22-25 have been indicated as allowable if rewritten to overcome the rejections under § 112. Claims 1-3, 6, 7, 12, 15, and 19-23 have been amended hereinabove. Claims 2, 6, 7, 15, 19 and 22 have placed in Independent form. Applicants respectfully traverse each ground of rejection and request reconsideration and further examination of the application under 37 CFR § 1.111. Applicants respond to each ground of rejection and objection as follows.

A. Claims 2-11, 15, 19 and 22-25 have been indicated as being allowable if rewritten.

Applicant would like to thank the Examiner for indicating the allowable subject matter of claims 2-11, 15, 19 and 22-25.

- B. Claims 1-19 and 21-25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.**

The Section 112 grounds of rejection have been addressed and overcome by the present amendments. In particular, claims 1, 12 and 21 have been amended to improve their grammatical form. It is therefore submitted that the 35 U.S.C. 112 grounds of rejection have been overcome.

- C. Claims 1, 12 and 20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Lazaroff et al. (U.S. Patent No. 4,244,621) and claims 13, 14, 16-18 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaroff et al. in view of Kornbluth (U.S. Patent No. 3,116,090).**

Lazaroff et al. discloses a multiple seating arrangement including a base for mounting a series of seating modules. (See Abstract and FIG. 1.) Lazaroff et al. further discloses seating modules having a fastening strip at one end for connection to the base via an array of barbed fasteners or the like. (Id.) Kornbluth discloses numbered theatre chairs. Applicant's independent claim 1 has been amended to include the subject matter of claims 2 and 3, already indicated as allowable, and therefore requires "wherein said blind rabbets and said tabs further include openings defined therethrough" and "wherein said openings defined through said tabs are larger than said opening defined through said blind rabbets to allow lateral and rotational motions between said interlocked adjacent seat modules". The above-recited elements of amended claim 1 are not disclosed or suggested by the above-cited prior art, either alone or in combination. It is therefore respectfully submitted that amended claim 1 is allowable over the above-cited art.

Claim 12, as amended, now requires "wherein said interlocked first and second seat

modules are adapted to substantially pivot relative to one another” Neither Lazaroff nor Kornbluth, either alone or in combination, disclose or suggest the above-recited element of Applicant’s claim 12. Kornbluth discloses discrete and unconnected chairs, while Lazaroff et al. clearly discloses seat modules, each module including fastening strips having an array of discrete apertures through which a plurality of fasteners, such as nails or screws, are inserted to secure the seat module to a base to produce an anchored non-pivoting seat module. (See FIGs. 1 and 5.) It is therefore respectfully submitted that claim12 is allowable over the prior art of record.

Claims 13, 14 and 16-18 ultimately depend from claim 12 and therefore include all of the limitations of claim 12. It is therefore respectfully submitted that claims 13, 14 and 16-18 are allowable over the references of record for at least the same reasons as set forth above regarding claim 12.

Claim 20 has been amended to requires “whereby a seating row can be built by pivotably interlocking a plurality of said interior seat modules and capping said plurality of said interlocked interior seat modules with said aisle seat modules” Neither Lazaroff nor Kornbluth, either alone or in combination, disclose or suggest the above-recited element of Applicant’s claim 20. It is therefore respectfully submitted that claim20 is allowable over the prior art of record.

Claim 21depends from claim 20 and therefore include all of the limitations of claim 20. It is therefore respectfully submitted that claim 21 is allowable over the references of record for at least the same reasons as set forth above regarding claim 20.

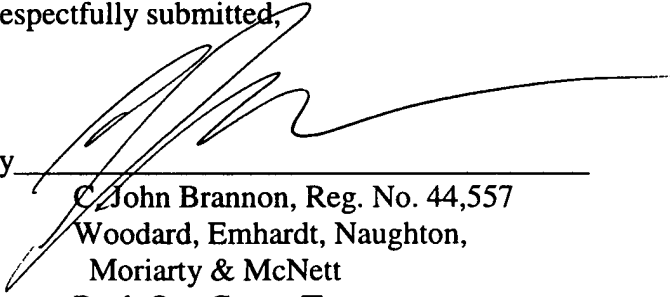
CONCLUSION

Attached hereto are ten (10) pages which present a marked up version of the changes made to this application by the current amendment. The first page of the ten attached pages is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Applicant has amended claims 1-3, 6, 7, 12, 15, and 19-23. Applicant respectfully requests a Notice of Allowance for pending claims 1-25. The undersigned welcomes a telephonic interview with the Examiner, if the Examiner believes that such an interview would facilitate review of this Amendment Response.

Respectfully submitted,

By



John Brannon, Reg. No. 44,557
Woodard, Emhardt, Naughton,
Moriarty & McNett
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

1. (Amended) An interlocking seating system comprising:

a support understructure;

a plurality of seat modules, each of said seat modules includes a body member having a first interlocking means and a second interlocking means [define]respectively positioned on a first and an opposing second side[s] of said body member; and,

a plurality of fasteners;

wherein said first interlocking means[of a first said seat module] is adapted to receive said second interlocking means[of a second said seat module], thereby allowing [said first and second]adjacent seat modules to interlock and be secured to said support understructure by said fasteners inserted through said interlocked interlocking means;

wherein said blind rabbets and said tabs further include openings defined therethrough;

and

wherein said openings defined through said tabs are of a different size than said opening defined through said blind rabbets to allow lateral and rotational motions between said interlocked adjacent seat modules.

2. (Amended) [The]An interlocking seating system [of claim 1]comprising:

a support understructure;

a plurality of seat modules, each of said seat modules includes a body member having a first interlocking means and a second interlocking means respectively positioned on a first and an opposing second side of said body member; and,

a plurality of fasteners;

wherein the interlocking means of a first seat module is adapted to receive the interlocking means of a second seat module, thereby allowing two adjacent seat modules to interlock and be secured to said support understructure by said fasteners inserted through said interlocked interlocking means;

wherein said plurality of seat modules comprises interior seat modules and aisle seat modules, said interlocking means of said interior seat modules comprise a tab and a blind rabbet, and said interlocking means of said aisle seat modules comprise two blind rabbets, said blind rabbets are adapted to interlock with said tabs.

3. (Amended) The interlocking seating system of claim 2 wherein said blind rabbets and said tabs further include openings defined therethrough, said openings defined through said tabs [are larger]have a different size than said opening defined through said blind rabbets, thereby allowing lateral and rotational motions between said interlocked adjacent seat modules.

6. (Amended) [The]An interlocking seating system [of claim 5]comprising:
a support understructure;
a plurality of seat modules, each of said seat modules includes a body member having a
first interlocking means and a second interlocking means respectively positioned on a first and an
opposing second side of said body member; and,
a plurality of fasteners;
wherein the interlocking means of a first seat module is adapted to receive the
interlocking means of a second seat module, thereby allowing two adjacent seat modules to
interlock and be secured to said support understructure by said fasteners inserted through said
interlocked interlocking means;
wherein said tab further includes a rib disposed thereon, wherein said rib impinges a
contacted surface of said blind rabbet of an adjacent seat module after assembly, thereby
providing frictional resistance to movement between said adjacent seat modules.

7. (Amended) [The]An interlocking seating system [of claim 6]comprising:
a support understructure;
a plurality of seat modules, each of said seat modules includes a body member having a
first interlocking means and a second interlocking means respectively positioned on a first and an
opposing second side of said body member; and,
a plurality of fasteners;
wherein the interlocking means of a first seat module is adapted to receive the
interlocking means of a second seat module, thereby allowing two adjacent seat modules to
interlock and be secured to said support understructure by said fasteners inserted through said
interlocked interlocking means;
wherein each said body member further comprises reinforcement means for added
rigidity, a curved front, a curved top, and a bottom having a concave surface formed therein[.];
and
wherein said concave surface engages said curved top when said curved top is deflected
downward by weight of an occupant.

12. (Amended) A seat module for installation on a support comprising:
a one-piece body member having a first and a second engagement member[s] disposed at a first and an opposing second side[s] of said body member, respectively;
said first and second engagement members further includ[e]ing openings therethrough for receiving fasteners;
wherein an engagement member of a first said seat module is adapted to receive an engagement member of a second said seat module, thereby allowing the interlocking and placement of said first and said second seat modules in a side by side relationship, to be secured to said support by fasteners through said openings; and
wherein said interlocked first and second seat modules are adapted to substantially pivot relative to one another.

15. (Amended) [The]A seat module [of claim 14]comprising:
a one-piece body member having a first and a second engagement member disposed at a
first and an opposing second side of said body member, respectively;
said first and second engagement members further including openings therethrough for
receiving fasteners;
wherein an engagement member of a first said seat module is adapted to receive an
engagement member of a second said seat module, thereby allowing the interlocking and
placement of said first and said second seat modules in a side by side relationship, to be secured
to said support by fasteners through said openings;
wherein said openings defined through said tab comprise a front and a rear elongated
slots wherein said rear elongated slot is longer than said front elongated slot; and wherein said
openings defined through said blind rabbets are apertures.

19. (Amended) [The]A seat module [of claim 13]comprising:
a one-piece body member having a first and a second engagement member disposed at a
first and an opposing second side of said body member, respectively;
said first and second engagement members further including openings therethrough for
receiving fasteners;
wherein an engagement member of a first said seat module is adapted to receive an
engagement member of a second said seat module, thereby allowing the interlocking and
placement of said first and said second seat modules in a side by side relationship, to be secured
to said support by fasteners through said openings;
wherein said body member provides a recessed area for receiving a plate having indicia
thereon; and
wherein each said body member further includes reinforcement means to provide added
rigidity, a curved front, a curved upper surface, and a bottom having a concave surface formed
therein and adapted to receive said curved upper surface when said curved upper surface is being
deflected down by weight of an occupant; and wherein said recessed area is tilted upward.

20. (Amended) A seating system comprising:

a support having a plurality of interior seat positions and first and second end seat positions within a sitting row;

a plurality of interior seat modules adapted for placement on said interior seat positions and said first end seat position, each of said plurality of interior seat modules comprising a body member having a tab protruding from a first side and a blind rabbet recessed in a second side of said body member;

an aisle seat module adapted for placement on said second end seat position, comprising a body member having at least one blind rabbet recess in a side of said body member;

a plurality of fasteners for attaching said interior and aisle seat modules to said support; and wherein

said tabs and said blind rabbets further includes openings disposed therethrough for receiving said fasteners, said blind rabbets are adapted to receive said tabs whereby a seating row can be built by pivotably interlocking a plurality of said interior seat modules and capping said plurality of said interlocked interior seat modules with said aisle seat modules, and attaching said interlocked interior and aisle seat modules to said support by said fasteners through said openings.

21. (Amended) The seating system of claim 20 wherein said body member provides a recessed area for receiving a plate having indicia thereon and wherein said recessed area is tilted upward.

22. (Amended) [The]A seating system [of claim 21 further]comprising:

a support having a plurality of interior seat positions and first and second end seat positions within a sitting row;

a plurality of interior seat modules adapted for placement on said interior seat positions and said first end seat position, each of said plurality of interior seat modules comprising a body member having a tab protruding from a first side and a blind rabbet recessed in a second side of said body member;

an aisle seat module adapted for placement on said second end seat position, comprising a body member having at least one blind rabbet recess in a side of said body member;

a plurality of fasteners for attaching said interior and aisle seat modules to said support;

end caps adapted for placement at said end seat position for receiving plates having indicia thereon; and

wherein said tabs and said blind rabbets further includes openings disposed therethrough for receiving said fasteners;

wherein said blind rabbets are adapted to receive said tabs whereby a seating row can be built by interlocking a plurality of said interior seat modules and capping said plurality of said interlocked interior seat modules with said aisle seat modules; and

wherein attaching said interlocked interior and aisle seat modules to said support by said fasteners through said openings.

wherein said body member provides a recessed area for receiving a plate having indicia thereon and wherein said recessed area is tilted upward.

23. (Amended) The seating system of claim 2[2]1 wherein said openings disposed through said blind rabbets are apertures.